

III. Findings

Under the applicable standard set forth in Section 766.24 of the Regulations and my review of the entire record, I find that the evidence presented by BIS convincingly demonstrates that Siberian took actions in apparent violation of the Regulations by operating the aircraft cited above, among many others, on flights into and within Russia after March 2, 2022, without the required BIS authorization. Moreover, the continued operation of these aircraft by Siberian, even on domestic routes within Russia, and the company's on-going need to acquire replacement parts and components, many of which are U.S.-origin, presents a high likelihood of imminent violations warranting imposition of a TDO. I further find that such apparent violations have been "significant, deliberate, covert and/or likely to occur again, rather than technical or negligent[.]" Therefore, issuance of the TDO is necessary in the public interest to prevent imminent violation of the Regulations and to give notice to companies and individuals in the United States and abroad that they should avoid dealing with Siberian, in connection with export and reexport transactions involving items subject to the Regulations and in connection with any other activity subject to the Regulations.

This Order is being issued on an *ex parte* basis without a hearing based upon BIS's showing of an imminent violation in accordance with Section 766.24 and 766.23(b) of the Regulations.

IV. Order

It is therefore ordered:

First, Siberian Airlines d/b/a S7 Airlines, 633104, Novosibirskaya obl., g. Ob, prospekt Mozzherina, d. 10 ofis 201, when acting for or on their behalf, any successors or assigns, agents, or employees may not, directly or indirectly, participate in any way in any transaction involving any commodity, software or technology (hereinafter collectively referred to as "item") exported or to be exported from the United States that is subject to the EAR, or in any other activity subject to the EAR including, but not limited to:

A. Applying for, obtaining, or using any license (except directly related to safety of flight), license exception, or export control document;

B. Carrying on negotiations concerning, or ordering, buying, receiving, using, selling, delivering, storing, disposing of, forwarding, transporting, financing, or otherwise servicing in any way, any transaction

involving any item exported or to be exported from the United States that is subject to the EAR except directly related to safety of flight and authorized by BIS pursuant to Section 764.3(a)(2) of the Regulations, or engaging in any other activity subject to the EAR except directly related to safety of flight and authorized by BIS pursuant to Section 764.3(a)(2) of the Regulations; or

C. Benefitting in any way from any transaction involving any item exported or to be exported from the United States that is subject to the EAR, or from any other activity subject to the EAR except directly related to safety of flight and authorized by BIS pursuant to Section 764.3(a)(2) of the Regulations.

Second, that no person may, directly or indirectly, do any of the following:

A. Export, reexport, or transfer (in-country) to or on behalf of Siberian any item subject to the EAR except directly related to safety of flight and authorized by BIS pursuant to Section 764.3(a)(2) of the Regulations;

B. Take any action that facilitates the acquisition or attempted acquisition by Siberian of the ownership, possession, or control of any item subject to the EAR that has been or will be exported from the United States, including financing or other support activities related to a transaction whereby Siberian acquires or attempts to acquire such ownership, possession or control except directly related to safety of flight and authorized by BIS pursuant to Section 764.3(a)(2) of the Regulations;

C. Take any action to acquire from or to facilitate the acquisition or attempted acquisition from Siberian of any item subject to the EAR that has been exported from the United States except directly related to safety of flight and authorized by BIS pursuant to Section 764.3(a)(2) of the Regulations;

D. Obtain from Siberian in the United States any item subject to the EAR with knowledge or reason to know that the item will be, or is intended to be, exported from the United States except directly related to safety of flight and authorized by BIS pursuant to Section 764.3(a)(2) of the Regulations; or

E. Engage in any transaction to service any item subject to the EAR that has been or will be exported from the United States and which is owned, possessed or controlled by Siberian, or service any item, of whatever origin, that is owned, possessed or controlled by Siberian if such service involves the use of any item subject to the EAR that has been or will be exported from the United States except directly related to safety of flight and authorized by BIS pursuant to Section 764.3(a)(2) of the Regulations. For purposes of this

paragraph, servicing means installation, maintenance, repair, modification, or testing.

Third, that, after notice and opportunity for comment as provided in section 766.23 of the EAR, any other person, firm, corporation, or business organization related to Siberian by ownership, control, position of responsibility, affiliation, or other connection in the conduct of trade or business may also be made subject to the provisions of this Order.

In accordance with the provisions of Sections 766.24(e) of the EAR, Siberian may, at any time, appeal this Order by filing a full written statement in support of the appeal with the Office of the Administrative Law Judge, U.S. Coast Guard ALJ Docketing Center, 40 South Gay Street, Baltimore, Maryland 21202-4022.

In accordance with the provisions of Section 766.24(d) of the EAR, BIS may seek renewal of this Order by filing a written request not later than 20 days before the expiration date. A renewal request may be opposed by Siberian as provided in Section 766.24(d), by filing a written submission with the Assistant Secretary of Commerce for Export Enforcement, which must be received not later than seven days before the expiration date of the Order.

A copy of this Order shall be provided to Siberian and shall be published in the **Federal Register**.

This Order is effective immediately and shall remain in effect for 180 days.

Dated: June 24, 2022.

Matthew S. Axelrod,
Assistant Secretary of Commerce for Export Enforcement.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Establishment of the Ocean Research Advisory Panel and Solicitation of Nominations for Membership

AGENCY: Office of Oceanic and Atmospheric Research (OAR), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

ACTION: Notice of establishment of the Ocean Research Advisory Panel and solicitation of nominations for membership.

SUMMARY: Pursuant to the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021

(H.R. 6395) Act and the Federal Advisory Committee Act (FACA), the NOAA Administrator and the Co-Chairs of the Ocean Policy Committee (OPC) announce the establishment of the Ocean Research Advisory Panel (ORAP). The ORAP shall advise the OPC on certain ocean science and research policies, procedures, priorities, and other appropriate matters. The ORAP charter shall terminate two years from the date of its filing with the appropriate U.S. Senate and House of Representatives Committees unless earlier terminated or renewed by proper authority. Notwithstanding section 14 of the Federal Advisory Committee Act, the Advisory Panel shall terminate on January 1, 2040. This notice also requests nominations for membership on the ORAP.

DATES: Nominations should be sent to the email address specified below and must be received no more than 45 days after publication of this notice.

ADDRESSES: Nominations and applications should be submitted electronically to Dr. Cynthia Decker, the Designated Federal Officer (DFO), ORAP, NOAA, at cynthia.decker@noaa.gov.

FOR FURTHER INFORMATION CONTACT: Dr. Cynthia Decker, DFO, ORAP, NOAA (Phone Number: (202) 936-5847), Email: cynthia.decker@noaa.gov and Andrew Peck, Program Support, ORAP, NOAA (Phone Number: 202-964-1254), Email: andrew.peck@noaa.gov in the Office of Science Support, Oceanic and Atmospheric Research.

SUPPLEMENTARY INFORMATION:

I. Background and Authority

Establishment of the ORAP implements a statutory requirement of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (H.R. 6395), 10 U.S.C. 8933 *et seq.* The ORAP is governed by the FACA, as amended, 5 U.S.C. App., which sets forth standards for the formation and use of advisory committees. Responsibilities include the following: (1) to advise the OPC on policies and procedures to implement the National Oceanographic Partnership Program; (2) to advise the OPC on matters relating to national oceanographic science, engineering, facilities, or resource requirements; (3) to advise the OPC on improving diversity, equity, and inclusion in the ocean sciences and related fields; (4) to advise the OPC on national ocean research priorities; and (5) any additional responsibilities that the OPC considers appropriate.

II. Structure

The ORAP shall consist of not fewer than 10 and not more than 18 members appointed by the co-chairs of the OPC, including each of the following: (A) three members who represent the National Academies of Sciences, Engineering, and Medicine; (B) members selected from among individuals who represent the views of ocean industries, State, tribal, territorial or local governments, academia, and such other views as the co-chairs consider appropriate; and (C) members selected from among individuals eminent in the fields of marine science, marine technology, and marine policy, or related fields.

Members shall serve in a representative capacity; they are, therefore, not Special Government Employees. As such, members are not subject to the ethics rules applicable to Government employees, except that they must not misuse Government resources or their affiliation with the ORAP for personal purposes. All members of the ORAP will be appointed by the OPC Co-Chairs for a three-year term, with one member appointed by the OPC Co-Chairs as the ORAP Chair. Members may not serve on the ORAP for more than two consecutive terms. A member of the ORAP may not serve as the ORAP Chair for more than two terms. The ORAP shall meet not less than two times each year. Additional meetings may be called as deemed desirable by the OPC. Members are reimbursed for actual and reasonable travel and other per diem expenses incurred in performing such duties but will not be compensated for their time. As a Federal Advisory Committee, the ORAP's membership is required to be balanced in terms of viewpoints represented and the functions to be performed. The OPC Co-Chairs shall ensure that an appropriate balance of academic, scientific, industry, and geographical interests are represented by the members of the ORAP. The OPC Co-Chairs shall also make appointments without discrimination on the basis of age, race, ethnicity, gender, sexual orientation, disability, or cultural, religious, or socioeconomic status.

III. Nominations

Interested persons may nominate themselves or third parties. An application is required to be considered for ORAP membership, regardless of whether a person is nominated by a third party or self-nominated. The application package must include: (1) the nominee's full name, title, institutional affiliation, and contact

information; (2) identification of the nominee's area(s) of industry perspective—academia, commercial service provider, or end-user; (3) a short description of his/her qualifications relative to the kinds of advice being solicited in this Notice; and (4) a current resume (maximum length four [4] pages). All nomination information must be provided in a single, complete package, and must be sent to the ORAP DFO at the electronic address provided above.

Paul Johnson,

Acting Chief Financial Officer/Administrative Officer, Office of Oceanic and Atmospheric Research, National Oceanic and Atmospheric Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[RTID 0648-XC132]

Caribbean Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

ACTION: Notice of public hybrid meeting.

SUMMARY: The Caribbean Fishery Management Council's (Council) District Advisory Panels (DAPs) will hold a public hybrid meeting to discuss snapper/grouper deep-water fishing in the U.S. Caribbean and the items contained in the tentative agenda included in the **SUPPLEMENTARY INFORMATION**.

DATES: The DAPs public hybrid meeting will be held on July 20, 2022, from 9:30 a.m. to 4:30 p.m. All meetings will be at Atlantic Standard Time (AST).

ADDRESSES:

Meeting address: The meeting will be held at the Courtyard by Marriott Isla Verde Resort, at 7012 Boca de Cangrejos Avenue, Carolina, Puerto Rico 00979.

You may join the DAPs public hybrid meeting (via Zoom) from a computer, tablet, or smartphone by entering the following addresses:

Join Zoom Meeting:
<https://us02web.zoom.us/j/86262657165?pwd=aGQ4U25rME92d1p1TWo4d3Y3RGFrDz09>

Meeting ID: 862 6265 7165.
Passcode: 901759.
One tap mobile: